


UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED
FEB 26 2008

CLERK

UNITED STATES OF AMERICA,

4:99CR40147-001

Plaintiff,

vs.

ORDER

KEVIN STORM,

Defendant and

GAVINS POINT TRANSPORTATION
INC., YANKTON, SD,
and its successors or assigns,

Garnishee.

This Court, the Honorable Lawrence L. Piersol, having held a hearing on February 25, 2008 at the hour of 10 a.m. on its Order To Show Cause why Garnishee Defendant, Gavins Point Transportation, Inc., and its President, Kevin Storm, should not be held in contempt of court for failure to withhold and remit in accordance with the Court's order of garnishment, and for sanctions for failure to appear at deposition under Rule 37; the United States appearing through counsel, Assistant United States Attorney Jan L. Holmgren, personally appearing; the Garnishee appearing telephonically through counsel of record, Jerry Pollard; Kevin Storm appearing pro se telephonically; the Court having considered the arguments of the parties, finding it is undisputed that Kevin Storm did not appear for deposition individually or on behalf of the Garnishee, it is hereby

ORDERED that Kevin Storm shall contact the United States Attorney within a reasonable time to arrange a time when his deposition may be taken in Sioux Falls at the United States Attorney's Office, 325 S. First Avenue, #300, Sioux Falls, SD 57104 in his

individual capacity and in his capacity as officer of the Garnishee. It is further

ORDERED that Kevin Storm shall provide full disclosure of financial documents requested by the United States for his personal finances as well as his interest in Gavins Point Transportation, and any other corporation or business entity in which Kevin Storm holds an interest, including any storage facility business in Springfield, South Dakota, in sufficient time for use at deposition; it is further

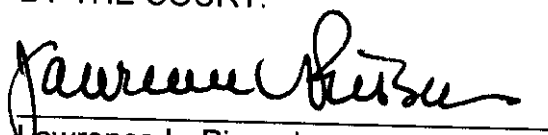
ORDERED that Kevin Storm shall establish a means to, and shall keep in contact with, the United States Attorney's Office so long as he owes a court-imposed debt to the United States and the victim in this case; it is further

ORDERED that the Court's prior garnishment order requiring the Garnishee Defendant to withhold and remit 25 percent of the wages paid to Kevin Storm remains in full force and effect; it is further

ORDERED that the failure of Kevin Storm and Garnishee Defendant to comply with this Order will result in a hearing to determine whether they are in contempt of this Court and as to why they should not be fined and Kevin Storm imprisoned.

Dated this 26th day of February, 2008.

BY THE COURT:


Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: Shelly Margulies
(SEAL) DEPUTY